

REMARKS

Claims 1, 2, 5 to 12, 15 to 22 and 25 to 30 are pending in this application of which claims 1, 11 and 21 are the independent claims. Claims 3, 4, 13, 14, 23 and 24 are cancelled without prejudice. Favorable reconsideration and further examination are respectfully requested.

Applicants thank the Examiner and the Examiner's supervisor for conducting an interview on Monday, November 19, 2007. The Examiner's supervisor and the Examiner presented to Applicants with their interpretation of the prior art with respect to the claims. The Examiner's supervisor indicated that the term "binding phase" was interpreted to have a broader meaning than Applicants were arguing and suggested that Applicants further narrow the claims with respect to that term. The Examiner's supervisor also agreed that if the claim amendments did not overcome the cited art that the Examiner would call the undersigned prior to issuing a Final Office Action.

The Examiner made a number of objections with respect to the specification. Based on the foregoing amendments to the specification, Applicants respectfully request withdrawal of the specification objections.

The Examiner rejected claims 21 to 30 under 35 U.S.C. §101. During the aforementioned teleconference, the Examiner agreed that the rejection would be removed if the specification was amended to delete the second to last sentence on page 13. Based on the amendment to the specification, Applicants request withdrawal of the §101 claim rejections.

Claims 1, 3 to 8, 11, 13 to 18, 21 and 23 to 28 are rejected under U.S.C. §103(a) as being obvious over Pelissier et al. (U.S. Patent Number 6,496,503 hereinafter "Pelissier") in view of Yip et al. (U.S. Patent Number 7,245,629 hereinafter "Yip").

Amended claim 1 is directed to a method of exchanging information between a control element (CE) and one or more forwarding element (FEs). The method includes executing a binding phase to provide a data channel between the CE and a first one of the FEs. The data channel transports packets including at least one of redirected packets from the first one of the FEs to the CE and packets to be forwarded from the CE to a second one of the FEs. The binding phase further provides a control channel between the CE and the first one of the FEs. The control channel transports control and configuration messages and wherein the control channel is separate from the data channel. The method also includes executing a capability discovery phase between the CE and the first one of the FEs; and executing a configuration operation phase between the CE and the first one of the FEs. Executing a binding phase further includes transmitting a bind request, from the first one of the FEs to the CE, to establish the data channel and the control channel, and transmitting a bind response from the CE to the first one of the FEs after the first one of the FEs has received the bind request. The bind response indicates whether the data channel and the control channel are established.

The applied art is not understood to disclose or to suggest the foregoing features of claim 1. In particular, neither Pelissier nor Yip disclose or suggest transmitting a bind request to establish the data channel and the control channel much less transmitting a bind response indicating that the data channel and the control channel are established.

Pelissier is directed to initializing a device. The Examiner has indicated that Pelissier discloses a bind request at column 9, lines 34 to 50 of Pelissier (see page 4 of the Office Action). Applicant respectfully submits that the Pellisier mentions nothing about establishing a data channel and a control channel much less a bind request that specifically establishes a data channel and a control. Rather, the portions of Pelissier that were cited by the Examiner is directed to querying or reading a database. Furthermore, the Examiner has cited that a bind response is shown in Pelissier at column 9, lines 59 to 66 (see page 4 of the Office Action). These cited portions of Pelissier are directed to a cell sent in response to a management cell. Applicants submit that this has nothing to do with indicating whether a data channel and a control channel are established. Therefore, Pelissier does not disclose or suggest transmitting a bind request to establish the data channel and the control channel much less transmitting a bind response indicating that the data channel and the control channel are established.

Yip directed to establishing a control channel in a packet-forwarding device. The Examiner has cited Yip to show that a data channel and a control channel are separate. However, Yip does not disclose or suggest transmitting a bind request to establish the data channel and the control channel much less transmitting a bind response indicating that the data channel and the control channel are established.

Accordingly, for at least the reasons indicated above, even if Yip were combined with Pelissier, the resulting hypothetical combination would not disclose or suggest transmitting a bind request to establish the data channel and the control channel much less transmitting a bind

response indicating that the data channel and the control channel are established. For at least this reason, claim 1 is believed to be allowable.

Claims 11 and 21 have corresponding features to claim 1. Applicants respectfully submit that the cited prior art should be withdrawn with respect to claims 11 and 21 for at least the same reasons as claim 1.

For at least the foregoing reasons, Applicants request withdrawal of the art rejections.

Applicants submit that all dependent claims now depend on allowable independent claims.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for withdrawing the prior art cited with regards to any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicants submit that the entire application is now in condition for allowance. Such action is respectfully requested at the Examiner's earliest convenience.

All correspondence should be directed to the address below. Applicants' attorney can be reached by telephone at (781) 401-9988 ext. 123.


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No fee is believed to be due for this Response; however, if any fees are due, please apply such fees to Deposit Account No. 50-0845 referencing Attorney Docket: INTEL-022PUS.

Respectfully submitted,

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